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Pro Hac Vice Applications Forthcoming

Attorneys for Plaintiff

HDMI Licensing Administrator, Inc.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

HDMI LICENSING ADMINISTRATOR, INC.,

Plaintiff,

v.

AVAILINK INC.

Defendant.

CASE NO.: 4:22-cv-06947-HSG

**STIPULATED REQUEST AND
[PROPOSED] ORDER TO RESCHEDULE
CASE MANAGEMENT CONFERENCE
AND EXTEND DEADLINES PURSUANT
TO LOCAL RULE 6-2**

Complaint Filed: November 7, 2022

1 Pursuant to Civil Local Rule 6-2, Plaintiff HDMI Licensing Administrator, Inc. (“Plaintiff” or
2 “HDMI LA”), through its counsel of record, and Defendant Availink Inc. (“Defendant” or “Availink”)
3 (collectively, the “Parties”), stipulate as follows:

4 WHEREAS, Plaintiff’s Complaint was filed on November 7, 2022;

5 WHEREAS, Defendant has agreed to waive formal service of the Summons and Complaint;

6 WHEREAS, pursuant to the executed Waiver of Service of Summons, Defendant, which is
7 located outside of the United States, has ninety (90) days from the service of Plaintiff’s waiver request
8 on January 12, 2023 to file an answer or motion pursuant to Fed. R. Civ. P. 12 (i.e., up to and including
9 April 12, 2023);

10 WHEREAS, pursuant to the Clerk’s Notice Setting Case Management Conference for
11 Reassigned Civil Case (*Docket Entry No. 11*), a Case Management Conference is set for February 14,
12 2023, with a Case Management Statement due by February 7, 2023;

13 WHEREAS, the Parties are discussing whether or not this dispute can be resolved among them,
14 without further court involvement;

15 WHEREAS, Defendant has not entered an appearance, has not yet retained local counsel, and
16 needs further time in order to do;

17 WHEREAS, in order to promote efficiency and conserve the time and resources of the Parties,
18 and this Court, and permit the Parties further time to confer about their claims and defenses, the Parties
19 believe that just cause exists to postpone the Case Management Conference, and all deadlines flowing
20 therefrom, including the deadline for the Case Management Statement and the Stipulation and
21 Proposed Order form pertaining to Alternative Dispute Resolution, until after the deadline for
22 Defendant’s response to the Complaint;

23 WHEREAS, neither of the Parties nor the Court will be prejudiced by the rescheduling of the
24 Case Management Conference, and dates flowing therefrom;

25 WHEREAS, the Parties have not made any previous requests for an adjournment, any
26 extension of time, or other time modification; and

27 WHEREAS, the proposed rescheduling of the Case Management Conference will not alter the
28 date of any event or other outstanding deadline other than those associated with, or flowing from, the

1 Case Management Conference, because a scheduling order has not yet been entered, and no other dates
2 are currently fixed by the Court.

3 NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, IT IS HEREBY
4 STIPULATED by and between the Parties, pursuant to Local Rule 6-2 that the Case Management
5 Conference shall be adjourned to Tuesday, April 25, 2023 at 2 PM, or as soon thereafter as the Court's
6 calendar will permit, and all deadlines associated with or flowing from the Case Management
7 Conference, including the submission of the Case Management Statement Stipulation and Proposed
8 Order form pertaining to Alternative Dispute Resolution seven calendar days before the Case
9 Management Conference, shall be adjusted accordingly.

10
11 DATED: January 13, 2023

EPSTEIN DRANGEL LLP

12 By: s/ Peter J. Farnese
Peter J. Farnese

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18 *Pro Hac Vice Applications Forthcoming*

19 *Attorneys for Plaintiff*
20 *HDMI Licensing Administrator, Inc.*

[PROPOSED] ORDER

Having read and considered the Stipulated Request to Reschedule Case Management Conference and Extend Deadlines Pursuant to Local Rule 6-2 (“Stipulated Request”), and for good cause shown, the Stipulated Request is approved. The Court orders that the schedule is amended as follows:

1. The Case Management Conference shall be adjourned to Tuesday, April 25, 2023 at 2 PM; and
2. All deadlines associated with or flowing from the Case Management Conference, including the submission of the Case Management Statement Stipulation and Proposed Order form pertaining to Alternative Dispute Resolution seven calendar days before the Case Management Conference, shall be adjusted accordingly.

IT IS SO ORDERED.

Date: _____, 2023

Honorable Judge Haywood S. Gilliam, Jr.
United States District Judge

ATTESTATION

I, Peter J. Farnese, am the ECF User whose identification and password are being used to file the **STIPULATED REQUEST AND [PROPOSED] ORDER TO RESCHEDULE CASE MANAGEMENT CONFERENCE AND EXTEND DEADLINES PURSUANT TO LOCAL RULE 6-2**. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Defendant Availink Inc., through its counsel, has concurred in this filing.

DATED: January 13, 2023

By: s/ Peter J. Farnese
Peter J. Farnese
Epstein Drangel LLP

*Attorneys for Plaintiff
HDMI Licensing Administrator, Inc.*

CERTIFICATE OF SERVICE

I hereby certify the on January 13, 2023, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing to the email addresses registered in the CM/ECF system.

DATED: January 13, 2023

By: s/ Peter J. Farnese
Peter J. Farnese
Epstein Drangel LLP

Attorneys for Plaintiff
HDMI Licensing Administrator, Inc.